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Circle K Stores, Inc.

**UNITED STATES DISTRICT COURT
EASTERN DIVISION OF CALIFORNIA**

VICKI WEST and WENDY FAGUNDES,
individually and on behalf of all others
similarly situated,

Plaintiffs,

vs.

CIRCLE K STORES, INC., a foreign
corporation,

Defendant.

) Case No. CIV. S-04-0438 WBS (GGH)

) Before the Honorable William B. Shubb

) **FINAL JUDGMENT AND ORDER**
) **DISMISSING CLASS ACTION WITH**
) **PREJUDICE**

The Court, having approved class certification for the purposes of settlement, having granted final approval of the settlement agreement on October 19, 2006, and having found the payments to the class members to have been properly disbursed and processed by the settlement claims administrator, hereby enters Final Judgment and dismisses this class action with prejudice pursuant to the terms specified in the Court's Memorandum and Order re: Motion for Final Approval of Class Action Settlement, Award of Attorneys' Fees and Costs, and Additional Compensation to Named Plaintiffs dated October 19, 2006. Furthermore, the Court hereby authorizes and directs the settlement claims administrator to release all funds remaining in and due to the settlement funds account to the cy pres recipient pursuant to paragraph 15(h) of the settlement agreement.

IT IS SO ORDERED:

DATED: July 13, 2007



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

The undersigned approve this proposed Final Judgment and Order as to form.

Dated: July 12, 2007

DEWEY BALLANTINE LLP

By: /s/

Matthew M. Walsh
Attorneys for Defendant Circle K Stores, Inc.

Dated: July 12, 2007

McINERNEY & JONES

By: /s/

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Settlement Classes

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